

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)	Title: MESSAGING SYSTEM FOR
)	MOBILE COMMUNICATION
Applicant: SAUER, David et al.)	
)	Group Art Unit: 2617
Application No.: 10/037,116)	
)	Examiner: GENACK, Matthew W.
Filed: October 22, 2001)	
)	Attorney Docket No.: UTL 00065
)	
)	
)	
)	

REQUEST FOR CONTINUED EXAMINATION,
AMENDMENT AND RESPONSE TO FINAL REJECTION

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. This RCE and amendment is submitted in response to the Final Rejection dated April 17, 2006. This response is submitted within a one (1) month extension of the shortened statutory period for reply, and Applicant requests an extension of the period for filing a reply in the above-identified application under the provisions of 37 CFR 1.136(a). The appropriate extension fee is filed herewith in addition to the appropriate fee for the RCE. Please enter and consider the following amendments and remarks.

Amendments to the Claims are reflected in the listing of new claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listing, of claims in the application.

Listing of All Pending Claims

1. - 57. (canceled)

58. (new) A method of message communication from a wireless communication device, the method comprising the steps of:

storing a plurality of predefined messages in a memory of the wireless communication device, each predefined message of the plurality of predefined messages associated with a message number code of a plurality of message number codes and a language code of a plurality of language codes;

selecting a predefined message of the plurality of predefined messages to send to at least one recipient, the selected predefined message having an associated message number code of the plurality of message number codes;

selecting a language for the selected predefined message, the selected language having a selected language code of the plurality of language codes; and

transmitting the associated message number code and the selected language code from the wireless communication device to the at least one recipient.

59. (new) The method of claim 58 further comprising:

receiving the associated message number code and the selected language code at a recipient wireless communication device of the at least one recipient; and

displaying an associated predefined message stored in a recipient memory of the recipient wireless communication device that is associated with the received associated message number code and that is associated with the received selected language code.

60. (new) The method of claim 58 further comprising:

- receiving the associated message number code and the selected language code at a server;

- the server constructing a text message from the associated message number code and the selected language code; and

- sending the constructed text message to a recipient wireless communication device of the at least one recipient.

61. (new) The method of claim 58 further comprising the steps of:

- storing a defined contacts list of message recipients in the memory;

- selecting the at least one recipient from the defined contacts list of message recipients.

62. (new) The method of claim 58 wherein the plurality of predefined messages comprises at least one customizable concatenated message, the at least one customizable concatenated message comprising at least one customizable text entry portion.

63. (new) The method of claim 62 wherein the at least one customizable text entry portion comprises user-input text information.

64. (new) The method of claim 62 wherein the at least one customizable text entry portion comprises selectable text information.

65. (new) The method of claim 62 wherein the at least one customizable text entry portion comprises default information.

66. (new) The method of claim 65 wherein the default information comprises at least one of information from a calendar and information from a clock.

67. (new) The method of claim 62 wherein the at least one customizable text entry portion comprises defined information.

68. (new) The method of claim 67 wherein the defined information comprises at least one of recipient contact information, terms previously stored in the memory, and phrases previously stored in the memory.

69. (new) A method of message communication between a plurality of wireless devices, the method comprising the steps of:

- selecting a predefined message from a plurality of predefined messages stored in a memory of a first wireless device of the plurality of wireless devices, the predefined message identifiable by a message code;

- selecting a preferred language code; and

- transmitting a transmit message comprising the message code and the preferred language code to at least one other wireless device of the plurality of wireless devices.

70. (new) The method of claim 69 wherein the plurality of predefined messages comprises at least one customizable message having a predefined portion and at least one customizable text entry portion.

71. (new) The method of claim 69 further comprising:

- intercepting the transmit message at a server;

- constructing a text message from the transmit message based upon the message code and the preferred language code; and

- forwarding the text message from the server to the at least one other wireless device.

72. (new) A device for wireless message communication, the device comprising:

a memory comprising:

contact information for a plurality of recipients; and

a plurality of predefined messages for transmission, each predefined message of the plurality of predefined messages associated with a message code and a transmission language code;

a user interface for selecting at least one recipient of the plurality of recipients and for selecting a predefined message of the plurality of predefined messages;

a processor for coding the selected predefined message into a coded message, the coded message comprising the message code and the transmission language code; and

a transceiver for transmitting the coded message to the selected at least one recipient.

73. (new) The device of claim 72, wherein at least one predefined message of the plurality of predefined messages is a customizable message, the customizable message comprising at least one customizable text entry portion.

74. (new) The device of claim 73 wherein the customizable text entry portion comprises at least one of user-input text information, default information, and defined information.

75. (new) The device of claim 74 wherein the default information comprises time and date information.

76. (new) The device of claim 74 wherein the defined information comprises predefined phrases stored in the memory.

77. (new) The device of claim 72 wherein the user interface is used to select a preferred language of the at least one recipient, wherein the preferred language is associated with the transmission language code.

78. (new) A system for message communication between a plurality of wireless communication devices, the system comprising:

the plurality of wireless communication devices, each wireless communication device of the plurality of wireless communication devices comprising:

a memory for storing contact information for at least one other wireless communication device of the plurality of wireless communication devices and for storing a plurality of predefined messages, each predefined message of the plurality of predefined messages identifiable by a message code and a language code;

a user interface for selecting a predefined message of the plurality of predefined messages, for selecting the contact information, and for selecting a transmission language;

a processor for preparing a coded predefined message comprising an associated message code associated with the selected predefined message and an associated language code associated with the selected transmission language; and

a transceiver for transmitting the coded predefined message; and

a network server for receiving the coded predefined message and sending the coded predefined message to the at least one other wireless communication device.

79. (new) The system of claim 78 wherein the plurality of predefined messages comprises a plurality of customizable messages having a predefined portion and at least one customizable text entry portion.

80. (new) The system of claim 79 wherein the at least one customizable text entry portion comprises user-input text information.

81. (new) The system of claim 79 wherein the at least one customizable text entry portion comprises selectable text information.

82. (new) The system of claim 79 wherein the at least one customizable text entry portion comprises default information.

83. (new) The system of claim 78 wherein the network server constructs a text message from the coded predefined message and sends the constructed text message to the at least one other wireless communication device.

REMARKS

The present after final amendment is in response to the Office Action dated April 17, 2005 in which the Examiner rejects claims 1-57. In response Applicant cancels claims 1-57 and adds new claims 58-83. The canceled claims included six (6) independent claims. The new claims include four (4) independent claims 58, 69, 72, and 78.

A. Claim Rejections under 35 USC 103(a)

In paragraphs 2-5 of the Office Action, the prior pending claims are rejected under 35 USC 103 (a) as unpatentable over Wilk (US6768789) in view of Shimoda (US6397079) or in further view of Enns (US2002/0116499) or Makela (US2001/0028709). Shimoda is cited as a reference which discloses "a portable device [which] may be used to translate the sending user's messages into a language used by the other party, the translation being done in the context of a telephone call initiated by the sending user". (See the Office Action, page 3 citing Shimoda Col. 3, lines 3-24 and Fig 4). Shimoda utilizes a wireless phone docked to a computer system to accomplish language translation. In contrast, in the claimed inventions, Applicant transmits a message comprising a message code and a language code that is associated with a pre-defined message.

In response, Applicant cancels all claims 1-57 and adds new claims to more clearly express that the claimed methods, device, and system provides transmitting a message code and a language code that is associated with a selected pre-defined message. A server or the recipients device then utilizes the code to reconstruct the text message. Support for these new claims may be found, for example, in Figures 3 and 4 and the corresponding description paragraphs [0032] - [0034] of Applicants specification (US Publ. No. 2003/0078033).

Applicant respectfully submits that the cited references, including the Shimoda reference, fails to disclose all the limitations of the independent claims. Specifically, independent claim 58 comprises transmitting the associated message number code and the selected language code from the wireless communication device to the at least one recipient. Independent claim 69 comprises transmitting a transmit message comprising the message code and the preferred language code to at least one other wireless device of the plurality of wireless devices. Independent claim 72 comprises a processor for coding the selected predefined message into a coded message, the coded message comprising the message code and the transmission language code. Independent claim 78 comprises a processor for preparing a coded predefined message comprising an associated message code associated with the selected predefined message and an associated language code associated with the selected transmission language. Wilk and Shimoda do not teach or suggest the above elements of the independent claims, and the other cited references do not cure this deficiency. As such, Applicant respectfully requests that the Examiner issue a notice of allowance for the now pending claims 68-83.

B. Conclusion

Applicant asserts that the now pending claims 58-83 are patentable over the cited prior art, and respectfully requests that the Examiner issue a notice of allowance for the now pending claims.

The fee for an RCE and the fees for a one (1) month extension of time is filed herewith by EFS. If necessary, Applicant requests under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

Dated: July 20, 2006

By: 

Kathleen L. Connell
Attorney for Applicant
Registration No. 45,344

KYOCERA WIRELESS CORP.
Attn: Intellectual Property Department
P.O. Box 928289
San Diego, California 92192-8289
Direct Dial: (858) 882-2169
Direct Fax: (858) 882-2485